



WEB COPY



Crl.OP.No.15244 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.OP.No.15244 of 2025

P.Periyasamy

... Petitioner

Vs.

The Inspector of Police,
A.Pallipatti Police Station,
Pappiredipatti Taluk,
Dharmapuri District.

... Respondent

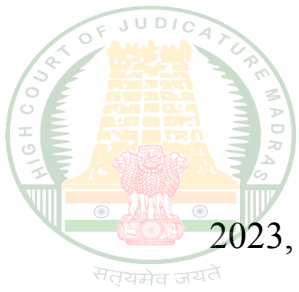
Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023, to enlarge the petitioner on bail in the event of arrest by the respondent in connection with the criminal case in A.Pallipatti PS, Crime No.53 of 2025 pending investigation on the file of the respondent.

For petitioner : M/s.Pavel V

For Respondent : Mr.V.Meganathan
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 132 and 133 of BNS,



CrI.OP.No.15244 of 2025

2023, in Crime No.53 of 2025, seeks anticipatory bail.

WEB COPY

2.The case of the prosecution is that the petitioner is an agriculturist. He had been making representation to the Block Development Officer, Revenue Divisional Officer and Village Administrative Officer and other concerned authorities regarding and alleged encroachment for the construction of a temple. It is alleged that the encroachers have constructed the temple on poramboke land. Despite several representations by the petitioner, no action was taken by the authorities. On the date of the incidence, when the authorities visited the site for inspection, it was alleged that the petitioner showed a slipper in protest against their inaction. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of anticipatory bail to the petitioner.



WEB COPY

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there is no previous case against the petitioner. However, he opposed to grant bail to the petitioner.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned ***Judicial Magistrate Court, Pappiredipatti Taluk, Dharmapuri District***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left



WEB COPY



CrI.OP.No.15244 of 2025

thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall make himself available for interrogation by a Police office as and when required;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] the petitioner shall not abscond either during investigation or trial;

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.



CrI.OP.No.15244 of 2025

15.05.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
rpl

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate Court, Pappiredipatti Taluk, Dharmapuri District
- 2.The Inspector of Police,
A.Pallipatti Police Station,
Pappiredipatti Taluk,
Dharmapuri District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

M.NIRMAL KUMAR, J.

rpl



WEB COPY



Crl.OP.No.15244 of 2025

Crl.O.P.No.15244 of 2025

15.05.2025